

AMENDED
APPLICATION FOR PERMIT

Nº 39277

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 3 1979
Returned to applicant for correction MAY 1 1980
Corrected application filed JUN 1 6 1980
Map filed JUN 1 6 1980

The applicant C. R. Miller and Denise Miller

2711 Kit Sierra Way

Street and No. or P.O. Box No.

, of Carson City

City or Town

Nevada 89701

State and Zip Code No.

, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Piute Creek
Name of stream, lake or other source.

2. The amount of water applied for is 1.0 cfs. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____ acre-feet

3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 67 Acres

(b) Stockwater (state number and kinds of animals to be watered) _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 17.

T. 22N., R. 22E., M.D.B. & M., or at a point from which the SW corner

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

of said Section 17 bears S. 33°04'44" W. 4738 feet.

it should be stated.

6. Place of use Portion of the W $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 22N., R. 22E., M.D.B. & M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) clean, repair and upgrade existing pipes, ditches and small reservoir.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$5000.
10. Estimated time required to construct works 2 years
11. Estimated time required to complete the application to beneficial use 5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is made for water presently appropriated under Permit No. 6627 and 3971 in the name of Pratt property or McCulloch property. These rights have reportedly not been used for the past 5 years (Possibly 12) and petition the State Engineer to declare them forfeited or abandoned, thus making water available from this source for this application.

Applicant C. R. Miller and Denise Miller
Pro. 9/22/80 by Lewis H. Polizzi
Pro. 9/30/80 by S. Deming, R Lewis & E Fitch By s/Ernest E. Muller
Pro. 10/23/80 by MCO Properties Ernest E. Muller, Sr., SWRS 273
Pro. 10/28/80 by Richard F. Miller 750 W. Pueblo St.
Compared to aa Reno, Nv. 89509
Pro. 6/24/80 by Raymond F. Warren et al
Pro. 7/9/80 by Rita & Paul Ryan, Daniel C. Jones
Pro. 8/5/80 by Alan E. Hubbard, Bill Grant
DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The grounds of the protests under Applications 39277 and 41554 pertaining to Piute Creek being fully appropriated have been fully considered by the State Engineer. Therefore, Applications 39277, 41389, 41554 and 49928 are herewith denied on the grounds that there is no unappropriated water at the proposed source, and that they would conflict with existing rights, and it would be detrimental to the public interest to grant additional rights on Piute Creek. No ruling is made on the grounds of the other protests.

Application 42755 is herewith denied on the grounds that it would not be in the public interest to grant a permit on sources of water where there would not be sufficient water flow to ensure the customary use by wildlife as required under NRS 533.367.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Actual construction work shall begin on or before.

Proof of commencement of work shall be filed before.

Work must be prosecuted with reasonable diligence and be completed on or before.

Proof of completion of work shall be filed before.

Application of water to beneficial use shall be made on or before.

Proof of the application of water to beneficial use shall be filed on or before.

Map in support of proof of beneficial use shall be filed on or before.

Commencement of work filed IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
Completion of work filed State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed my office, this 23rd day of March
Cultural map filed A.D. 19 94
Certificate No. Issued
Recorded Bk. Page
County Recorder